

The listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1-90 (Canceled)

91. (New) An apparatus for treating at least one of sleep apnea and snoring in a human or animal having an oropharyngeal region with lateral and posterior walls, the apparatus comprising:

an appliance comprising at least one element having a length extending from a first end to a second end, the at least one element being substantially bow shaped with the appliance at rest, the appliance being sized and structured to be placed in or radially outwardly from the lateral and posterior walls of an oropharyngeal region of a human or animal with the length of the at least one element extending generally laterally across the posterior wall and, when so placed, being effective in treating at least one of sleep apnea and snoring.

92. (New) The apparatus of claim 91 which includes at least two of the elements coupled together at respective first and second ends and spaced apart from each other.

93. (New) The apparatus of claim 92 wherein at least one of the elements includes an outwardly extending region between the first and second ends substantially further spaced apart from the other elongated element than any other region of the at least one elongated element

94. (New) The apparatus of claim 91 wherein the at least one bow shaped element extends from first end to second end through less than about 50% of an arc of a circle with the appliance at rest.

95. (New) The apparatus of claim 92 wherein the at least two elements are spaced apart from each other by a varying distance between the first and second ends.

96. (New) The apparatus of claim 92 wherein each of the at least two elements includes an outwardly extending region between the first and second ends substantially further spaced apart from the other element than any other region of the element.

97. (New) The apparatus of claim 96 wherein each outwardly extending region is substantially centrally located between the first and second ends, and extends in a substantially opposing direction relative to the other outwardly extending region.

98. (New) The apparatus of claim 91 wherein the appliance has a lateral dimension defined by the distance between the first and second ends and a maximum longitudinal dimension perpendicular to the lateral dimension which is less than the lateral dimension.

99. (New) The apparatus of claim 91 wherein the at least one element comprises a resilient wire.

100. (New) The apparatus of claim 91 wherein the appliance has a constrained configuration for delivery into an oropharyngeal region, and an open configuration when the appliance is so placed in an oropharyngeal region.

101. (New) The apparatus of claim 91 wherein the appliance is made of a biocompatible metal.

102. (New) The apparatus of claim 91 wherein the appliance is made of an elastic spring memory material.

103. (New) The apparatus of claim 91 wherein the appliance is made of nitinol.

104. (New) A method for treating at least one of sleep apnea and snoring in a human or an animal having an oropharyngeal region with lateral and posterior walls, the method comprising:

providing an appliance in or radially outwardly from the lateral and posterior walls of the oropharyngeal region of the human or animal, the appliance comprising at least one element having a length extending from a first end to a second end, the at least one element being substantially bow shaped with the appliance at rest, the appliance being provided so that the length of the at least one element extends generally laterally across the posterior wall of the oropharyngeal region.

105. (New) The method of claim 104 wherein the appliance includes at least two of the elements coupled together at

respective first and second ends and spaced apart from each other.

106. (New) The method of claim 105 wherein at least one of the elements includes a region between the first and second ends substantially further spaced apart from the other elements than any other region of the at least one element.

107. The method of claim 104 wherein the providing step includes placing the appliance in or beneath the mucosal layer of the lateral and posterior walls of the oropharyngeal region.

108. (New) The method of claim 104 wherein the providing step includes placing the appliance completely across the posterior wall of the oropharyngeal region.

109. (New) The method of claim 104 wherein the providing step includes providing the appliance in a deformed first configuration, inserting the appliance into the oropharyngeal region and allowing the appliance to reconfigure to a deployed second configuration within the oropharyngeal region.

110. (New) The method of claim 104 wherein the appliance is made of nitinol.